

REMARKS

The Final Office Action dated July 9, 2009 has been received and carefully considered. *In this response, claims 41 and 42 have been amended to correct informalities.* No new matter has been added. Since the minor amendments to claims 41 and 42 are not expected to raise any new issue but will place the application in a better condition for appeal, Applicant respectfully request entry of these amendments even though the application is under final rejection. Reconsideration of the outstanding rejections in the present application is also respectfully requested based on the following remarks.

I. SUBSTANCE OF TELEPHONE INTERVIEW

Applicant appreciates the time spent by Examiners Zia and Doan during the August 20, 2009 telephone interview. During the interview, Applicant's undersigned representative briefly summarized the present invention and the deficiencies of the final rejection. The independent claims in the present application are also briefly discussed. No agreement was reached during the interview.

II. THE ANTICIPATION REJECTION OF CLAIMS 1-3, 6-9, 11-12, 14-16, 19, 22, 26-28, 34-37, AND 39

On pages 3-7 of the Office Action, claims 1-3, 6-9, 11-12, 14-16, 19, 22, 26-28, 34-37, and 39 were rejected under 35 U.S.C. § 102(b) as being anticipated by "Trusted Solaris 8 Operating Environment" (hereinafter "Solaris"). This rejection is hereby respectfully traversed.

These rejections are clearly deficient as the Examiner has not shown the disclosure of even a fraction of the claim elements by the cited references.

According to MPEP § 706, “the goal of examination is to clearly articulate any rejection early in the prosecution process so that the applicant has the opportunity to provide evidence of patentability and otherwise reply completely at the earliest opportunity” (emphasis added). This stated goal of examination is far from being heeded (let alone achieved) in the office actions issued to date. The rejection of independent claim 1 is illustrative of the deficiencies.

Claim 1 recites “*a network computer system for providing security*” comprising the following elements: (i) “*a monitoring function*”; (ii) “*at least one outside server*”; (iii) “*at least one proxy server*”; (iv) “*at least one inside server*”; and (v) “*a core operating system*,” with their respective limitations.

While claim 1 recites five main elements, the Office Action only cites Solaris as allegedly disclosing three out of the five elements, namely Elements (i), (iii), and (v). Final Office Action at 3-4. The Office Action does not show any evidence or offer any explanation that Element (ii) “*at least one outside server*” and Element (iv) “*at least one inside server*” are disclosed anywhere by Solaris. Since the Office Action fails to make even a threshold allegation of anticipation regarding each and every element recited in claim 1, the rejection cannot stand for at least this reason.

Giving the Office Action the benefits of doubt, Applicant speculated that the Examiner might intend to cover Elements (ii) “*at least one outside server*” and (iii) “*at least one proxy server*” with the same citation (i.e., Solaris at p. 17, para. 2) and to cover Elements (iv) “*at least one inside server*” and (v) “*a core operating system*” with the same citation (i.e., Solaris at p. 18, para. 3-5; p. 21, para. 1-2; p. 22-24). However, none of the cited passages makes any reference to a server. Indeed, the Office Action only cites pages 17-24 of Solaris in the §102 rejections, while there is not a single instance of the word “server” appearing after page 9 of Solaris.

Furthermore, the alleged disclosure of Elements (i), (iii), and (v) is either unclear or completely untrue. For example, regarding Element (iii) “*at least one proxy server*,” the Examiner cites Solaris at p. 17, para. 2 which has nothing to do with any proxy server and makes no reference to any “proxy” or “server.” In fact, Solaris never mentions a proxy server or even uses the word “proxy” anywhere in its disclosure. The Examiner responded to this issue as follows —

“Applicant argues on page 22 of the Remarks that Solaris never mentions a proxy server or even uses the word proxy anywhere in its disclosure. Examiner respectfully disagrees. Solaris discloses the trusted Solaris 8 operating environment provides methods for limiting external access, as well as extensive internal protection against intruders and misuse that is equivalent to the proxy server recited in claim 1 (see Solaris: pages 2-3).”

Final Office Action at 2. While the Examiner’s effort in responding to Applicant’s argument is appreciated, the response further highlights (rather than curing) the deficiencies in the claim rejection.

First, the Examiner’s response, even if it were true, would only show that Solaris implies a proxy server at pages 2-3, which is notably not the passage (i.e., Solaris at p. 17, para. 2) the office actions have repeatedly pointed to for the alleged disclosure of the “*at least one proxy server*.” The fact that the Examiner had to explain the disclosure of a proxy server by pointing somewhere else in the reference and, even then, only managed to find security functions “that is equivalent to the proxy server” shows that the §102 rejection of claim 1 was poorly articulated, to say the least. The identical §102 rejection was nevertheless replicated from the Non-Final Office Action into the Final Office Action without changing a single word.

Second, the pages relied upon by the Examiner (Solaris at p. 2-3) merely list design goals and software capabilities of a Trusted Solaris 8 operating system. The only servers mentioned in

those two pages are “Trusted Solaris 8 servers” and “a Domain Name Service (DNS) server” (Solaris at p. 2, para. 3). It is completely unclear whether a Trusted Solaris 8 server or another server performs the security functions allegedly equivalent to a proxy server.

Third, even assuming that Solaris did implicitly disclose the equivalent of a proxy server somewhere, the Examiner has still failed to account for the limitations of the “*at least one proxy server*” recited in claim 1. While it is already difficult to understand what the Examiner considers to be the “equivalent” of the proxy server, it is next to impossible to grasp where or how Solaris discloses “*wherein the at least one outside server for the untrusted computer network is able to read and write data to the at least one proxy server*” or “*wherein the monitoring function can read and execute data from, but cannot write data to, the at least one proxy server*.”

The alleged disclosure of Element (i) “*a monitoring function for the network computer system*” and Element (v) “*a core operating system that is a portion of an operating system*” is not any better. The passages at Solaris p. 16, para. 2-4 are cited against the monitoring function, and the passages at Solaris p. 18, para. 3-5 are cited against the core operating system. The cited passages are at best murky and certainly do not disclose any of the recited limitations concerning the interaction of the monitoring function or the core operating system with the “*at least one outside server*,” the “*at least one proxy server*,” or the “*at least one inside server*.” In any case, Applicant cannot understand from the citations exactly which part of the Solaris system corresponds to the claimed monitoring function and which part corresponds to the claimed core operating system.

Unfortunately, the deficiencies do not stop here in claim 1. Similar to claim 1, the rest of the independent claims — claims 23, 26, and 40 — also each recite “*at least one outside server*,”

“at least one proxy server,” and *“at least one inside server.”* The Office Action has not cited any portion of Solaris that even mentions any of these servers. Nor has the Office Action specifically matched up the alleged Solaris disclosure with the corresponding server functions presently claimed. If the Examiner still believes that Solaris discloses these elements, Applicant respectfully requests that the Examiner specifically point out the counterparts in Solaris by name (instead of citing paragraphs without a single word of explanation and leaving it to Applicant to guess the Examiner’s interpretation of the reference).

In view of the foregoing, it is respectfully requested that the aforementioned anticipation rejection of claims 1-3, 6-9, 11-12, 14-16, 19, 22, 26-28, 34-37, and 39 be withdrawn.

III. THE OBVIOUSNESS REJECTION OF CLAIMS 4-5, 10, 13, 17-18, 20-21, 23-25, 29-33, 38, AND 40-42

On pages 8-16 of the Office Action, claims 4-5, 10, 13, 17-18, 20-21, 23-25, 29-33, 38, and 40-42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Solaris in view of Sheikh (U.S. Pub. No. 2002/0078382). This rejection is deficient in view of the deficiencies noted above in the primary reference Solaris.

With respect, Applicant finds the rejection of claims 23 and 40 to be the most deficient and particularly troubling. Claim 23 spans almost 3 full pages and recites at least 14 “compartments” (corresponding to exemplary items illustrated in Figure I of the present application). Similarly, claim 14 spans over 3 full pages and also recites up to 14 “compartments.” Conceding that Solaris does not disclose most of the claim elements, the Examiner went on to make the following assertion —

“However, Sheikh discloses second compartment through fourteenth compartment as described above (Sheikh: paragraphs 0005, 0007 and 0011). Therefore, It would have been obvious to a

person skilled art at the time the invention was made to have included in Solaris the feature of Sheikh as discussed above because a problem exists in the security software field because companies need to have security software that has the ability to monitor various aspects of the network and allow for forensic analysis when a breach or problem does occur (Sheikh: paragraph 0009)."

Final Office Action at 15.

A quick review of "Sheikh: paragraphs 0005, 0007 and 0011" (replicated below) will reveal that their relevancy (if any) to the claimed "compartments" is at best marginal —

[0005] Information security is experiencing a growth in importance since commercialization of the Internet. Modest security tools were mostly available for free on "ftp sites" before this commercialization and these tools were often only used sparingly by systems administrators at universities and government agencies. The security tools were generally not effective for providing much more than password protection and most IT managers did not have a budget to provide security measures. Security was an esoteric subject discussed in academic circles. In those days, password protection and anti-virus tools were usually all the security an organization thought it needed. Later companies began to develop "firewall" products to protect the company against attacks from intruders outside of the company's main network.

[0007] Presently, the concept of "security" can be divided into numerous distinct areas. There are perimeter security systems such as firewalls, which filter traffic allowed into and out of a network. Intrusion Detection Systems are responsible for inspecting network traffic and identifying any anomalies or suspicious activity. Content filtering tools are responsible for guarding against employee abuse of Internet services such as viewing pornographic or other questionable web sites on company time and with company resources. Anti-virus tools guard against viruses from corrupting data. Finally, encryption tools are used to encrypt data such that only certain individuals may be able to decrypt and view it. Almost all security tools currently available in the market today fall into one of these categories above. However, this does not mean that security threats are limited to just these specific areas.

[0011] The present invention is a security software methodology and system that takes an internal approach to mitigating security risks from authorized and unauthorized users. The security software system uses the methodology of monitoring, in great

detail, any configuration changes made to information systems and their applications within a network. These systems and applications include web servers, firewalls, proxy servers, log servers, intrusion detection software systems, routers and any other device or application which can be considered a part of the enterprise information system infrastructure.

Sheikh simply does not disclose a compartmentalized secure network system as in the present invention. Sheikh never mentions any “compartment” and certainly cannot teach or suggest such specific “second compartment through fourteenth compartment” as presently claimed. If the Examiner still believes that Sheikh discloses the claimed “compartments,” it is respectfully requested that the Examiner specifically match each of the compartment with the counterparts in Sheikh.

In view of the foregoing, it is respectfully requested that the aforementioned obviousness rejection of claims 4-5, 10, 13, 17-18, 20-21, 23-25, 29-33, 38, and 40-42 be withdrawn.

IV. AFTER-FINAL COURSE OF ACTION

For at least the reasons stated above, the rejections of the pending claims are grossly inadequate and unreasonable. *Applicant respectfully requests withdrawal of these rejections and allowance of the claims or, at least, reopening of the prosecution with the issuance of a proper office action.* To the extent the Examiner still maintains the rejections, Applicant respectfully requests clarification of the alleged disclosure of each and every claim element. At the very minimum, Applicant respectfully requests an element-by-element explanation (not just citation of paragraphs) as to which portions of the cited references actually teach or suggest the following elements as recited in claim 1:

1. “*at least one outside server for an untrusted computer network*”
2. “*at least one inside server*”

and the following elements as recited in claim 23:

1. *“a first compartment”*
2. *“a second compartment”*
3. *“a third compartment”*
4. *“a fourth compartment”*
5. *“a fifth compartment”*
6. *“a sixth compartment”*
7. *“a seventh compartment”*
8. *“at least one eighth compartment”*
9. *“at least one ninth compartment”*
10. *“at least one tenth compartment”*
11. *“at least one eleventh compartment”*
12. *“at least one twelfth compartment”*
13. *“at least one thirteenth compartment”*
14. *“a fourteenth compartment”*

Otherwise, Applicant perceives no other option but to appeal to the Board. Much as Applicant would like to avoid an expensive and protracted appeal, the brevity and ambiguity of the rejections make it impossible for Applicant to make any meaningful argument or amendment in a Request for Continued Examination.

V. CONCLUSION

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number, in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

Please charge any shortage in fees due in connection with the filing of this paper to Deposit Account No. 50-4494, and please credit any excess fees to the same deposit account.

Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,
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